

1 JOANNA P. SHERIDAN (CABN 260090)
2 J.P. SHERIDAN LAW
3 601 Montgomery Street, Suite 850
San Francisco, CA 94111
(415) 347-2700

4 Attorney for Defendant
HOWARD NICKLES

5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION

8

9 UNITED STATES OF AMERICA,) NO. CR 16-356 PJH and 20-062 PJH
10 Plaintiff,)
11 v.) STIPULATION AND [PROPOSED] ORDER
12 HOWARD NICKLES) REQUEST TO CONTINUE SENTENCING
13 Defendants.) HEARING OF HOWARD NICKLES
14

15 The above captioned cases are currently scheduled for judgment and sentencing on May 6, 2020.

16 Counsel for Mr. Nickles and counsel for the United States jointly request to continue this sentencing
17 hearing to June 3, 2020 at 1:30 pm.

18 On March 4, 2020 the Governor of the State of California declared a public health emergency
19 throughout the state due to the outbreak of COVID-19. On March 16, 2020, a “shelter in place” order went
20 into effect for much of the Bay Area, and the Court issued General Order 72 stating that appearances
21 before district judges may be waived or postponed, if required by law, with the defendant’s consent.

22 In this matter, Mr. Nickles would like to be present before the Court for his sentencing hearing.
23 Counsel for defendant is informed and believes that on May 6, 2020, only a telephonic appearance would
24 be technologically feasible given the ongoing public health crisis. Therefore, the parties jointly request
25 that Mr. Nickles’ sentencing hearing be continued to June 3, 2020 at 1:30 pm.

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28 STIPULATED REQUEST TO CONTINUE HEARING,
AND [PROPOSED] ORDER, 20-CR-062 AND 16-CR-356 PJH

1 Given that Mr. Nickles has plead guilty in this case, the time-exclusion provisions of the Speedy
2 Trial Act do not apply to the instant request.

3 IT IS SO STIPULATED.
4

5 DATED: April 15, 2020

6 /s/
7 JOANNA SHERIDAN
8 Attorney for Defendant, Howard Nickles

9 DATED: April 15, 2020

10 /s/
11 SAMANTHA SCHOTT BENNETT
12 Assistant United States Attorney
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STIPULATED REQUEST TO CONTINUE HEARING,
AND [PROPOSED] ORDER, 20-CR-062 AND 16-CR-356 PJH

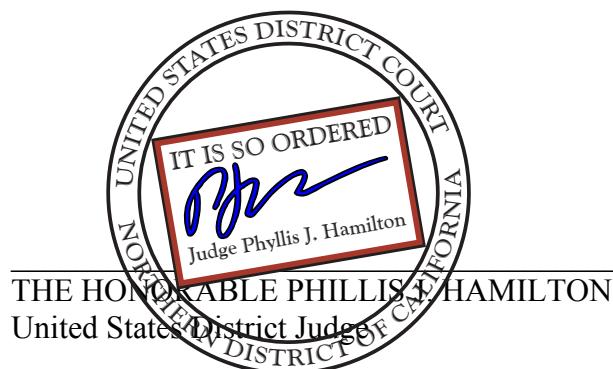
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2 **[PROPOSED] ORDER**
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4 Based on the reasons provided in the stipulation of the parties above, the court hereby FINDS that
5 the ends of justice will be served by the granting of the continuance from May 6, 2020 through June 3,
6 2020.
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8 Based on these findings, it is hereby ORDERED that the sentencing hearings in these matters be
9 continued to June 3, 2020 at 1:30 pm.
10

11 **IT IS SO ORDERED.**
12

13 DATED: April 15, 2020
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THE HONORABLE PHILLIS J. HAMILTON
United States District Judge